IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL TRANSFER APPL. No. 19 of 2007

SONU (YOGESHWARI)
V/S
MOHIT KUMAR SHOBHWAT

Mr. RAKESH ARORA, for the appellant / petitioner

Mr. YOGITA MOHANANI, for the respondent

Date of Order : 1.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

The petitioner seeks the transfer of matrimonial proceedings being Civil Misc. Case No. 309/2006 pending in the Court of District Judge, Bhilwara to the Court of District Judge Jodhpur. The proceedings pending before the Bhilwara Court are petition under Section 11 of the Hindu Marriage Act.

Learned counsel for the non-petitioner was requested to read from the petition, and from the relevant provisions of the Hindu Marriage Act as to under what clause the grounds pleaded make out the case for maintaining the petition under Section 11 or 12 but the learned counsel for the non-petitioner could not satisfy. In this background the marriage is said to have been solemnised on 6.5.2006, and soon thereafter the present petition has been filed.

In my view, without commenting on the merits of the petition filed by the respondent, I think it appropriate to transfer the case from Bhilwara to Jodhpur.

Accordingly, the transfer petition is allowed, and the Civil Misc. Case No. 309/2006 pending in the Court of District Judge, Bhilwara is transferred to the Family Court, Jodhpur. Parties to appear before the Family Court, Jodhpur on 10.9.2007.

(N P GUPTA),J.

/Sushil/